REMARKS

In the specification, page 14, line 5, has been amended to correct minor editorial problems.

Claims 1-18 stand in this application. Claims 1, 8 and 15 have been amended. No new matter has been added. Favorable reconsideration and allowance of the standing claims are respectfully requested.

35 U.S.C. § 102(b)

Claims 1-5, 7-12 and 14-18 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Netscape Proxy Server Administrator's Guide, Version 3.5 for Unix ('NPSD"). Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the anticipation rejection.

Applicant respectfully submits that to anticipate a claim under 35 U.S.C. § 102 (b), the cited reference must teach every element of the claim. *See* MPEP § 2131, for example. Applicant submits that NPSD fails to teach each and every element recited in claims 1-5, 7-12 and 14-18, and thus they define over NPSD.

The Office Action alleges that "NPSD discloses a method to retrieve information, comprising: receiving a first request for information over a first connection ("client requests a web page from the proxy server," p. 24 ¶ 3); retrieving said information over a second connection ("the proxy server copies the document from the remote server to its local cache," page 24 ¶ 3); detecting that said first connection is terminated (p. 32, mid-page, "client interrupts the data transfer," thereby terminating the connection): receiving

a second request for said information over a third connection ("client requests a

document that was previously requested," p. 24, ¶ 4); determining whether aid second

request matches said first request (the proxy determines if the requests are for the same

document by checking the cache, p. 24 ¶ 4); and sending said information over a third

connection to said first network node in accordance with the determination ("the proxy

returns the document from the cache," p. 24, ¶ 4)." Office Action, Page 3.

At the given cites, NPSD in relevant part states that "[w]hen a client requests a

web page or document from the proxy server, the proxy server copies the document from

the remote server to its local cache directory structure while sending the document to the

client." *See* NPSD, page 24, ¶ 3. NPSD also states that "[i]f a document is only partly

retrieved and the client interrupts the data transfer, the proxy has the ability to finish

retrieving the document for the purpose of caching it." Id. at page 32, ¶ 6.

While Applicant disagrees with the broad grounds of rejection presented in the

Office Action, Applicant has amended the independent claims in order to expedite

prosecution on the merits.

Independent claim 1 has been amended to recite "receiving a first request for

information from a client over a first connection" and "determining whether said second

request matches said first request, including whether said second request is from said

client."

Independent claim 8 has been amended to recite "receiving a first request for

information from a first network node at a second network node over a first connection"

and "determining whether said second request matches said first request, including

whether said second request is from said first network node."

Independent claim 15 has been amended to recite "receiving a first request for information from a client over a first connection" and "determining whether said second request matches said first request including whether said second request is from said client."

Claims 1-5, 7-12 and 14-18 define over NPSD. At the given cites, NPSD arguably discloses conventional caching techniques, and that the requested information may continue to be cached even when a client interrupts the data transfer. NPSD fails to disclose, however, performing any caching operations based on whether a first and second request were made by the same entity. Therefore, NPSD fails to disclose that a "second request is from said client" as recited in independent claims 1 and 15, and a "second request is from said first network node" as recited in independent claim 8, for example. As stated in the Specification:

> A problem may occur if there is an unreasonable delay in accessing the web page. The user may get impatient and cancel the request, only to submit another request for the same web page immediately thereafter. The cancellation may result in the termination of the connection between the client computer and the load balancer, and also the connection between the load balancer and the server. Once the user submits the other request, both connections will have to be re-established prior to retrieving the requested information. This may lead to the inefficient use of network resources.

Specification, Page 5. Consequently, NPSD fails to disclose all the elements or features of the claimed subject matter. Accordingly, Applicant respectfully requests removal of the anticipation rejection with respect to claims 1, 8 and 15. Furthermore, Applicant respectfully requests withdrawal of the anticipation rejection with respect to claims 2-5, 7, 9-12, 14 and 16-18, which depend from claims 1, 8 or 15, and, therefore, contain additional features that further distinguish these claims from NPSD. Accordingly,

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Applicant respectfully requests removal of the anticipation rejection with respect to these claims.

35 U.S.C. § 103(a)

Claims 6 and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over NPSD in view of "well known Internet standards." Applicant respectfully traverses the rejection, and requests reconsideration and withdrawal of the obviousness rejection.

Claims 6 and 13 depend from claims 1 and 8, respectively. Consequently, claims 6 and 13 define over NPSD and the "well known Internet standards," whether taken alone or in combination, for at least the same reasons given for independent claims 6 and 13. Accordingly, Applicant respectfully requests removal of the obviousness rejection with respect to these claims.

Applicant does not otherwise concede, however, the correctness of the Office Action's rejection with respect to any of the dependent claims discussed above. Accordingly, Applicant hereby reserves the right to make additional arguments as may be necessary to further distinguish the dependent claims from the cited references, taken alone or in combination, based on additional features contained in the dependent claims that were not discussed above. A detailed discussion of these differences is believed to be unnecessary at this time in view of the basic differences in the independent claims pointed out above.

For at least the reasons set forth above, Applicant submits that independent claims 1, 8 and 15 are allowable, and that dependent claims 2-7, 9-14 and 16-18 are allowable by virtue of their dependency from allowable independent claims, as well as on their own

merits. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the anticipation and obviousness rejections of claims 1-18.
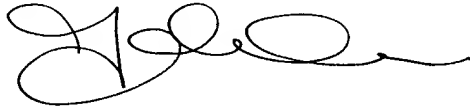
It is believed that claims 1-18 are in allowable form. Accordingly, a timely Notice of Allowance to this effect is earnestly solicited.

The Examiner is invited to contact the undersigned at 724-933-3387 to discuss any matter concerning this application.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

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John F. Kacvinsky, Reg. No. 40,040
Under 37 CFR 1.34(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on: February 22, 2005.

_____   2-22-05
Deborah L. Higham   Date

Dated: <u>February 22, 2005</u>

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